

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SHELLY STEUVAC a/k/a WENDY STEUVAC,
JOHN DOE 1-100,

Plaintiffs,

Case No. 15-cv-13307

v.

Honorable Thomas L. Ludington

DESTROY JAMES PAYNE,

Defendant.

ORDER REMANDING CASE WITHOUT PREJUDICE

On September 18, 2015, Defendant Destroy James Payne removed this matter to federal court from the 46th Circuit Court in Crawford County. *See* Def.'s Not. Removal, ECF No. 1. The document was filed in person with the Clerk of Court. Payne provided no contact information and, upon review of the document he filed, none is forthcoming in the notice of removal. The document he filed is a 249 page amalgam of alleged state court documents, transcripts, and federal and state laws. None of the documents appear to be true copies as they appear to have been transcribed by type into a new document. Needless to say, the document filed by Payne is largely unintelligible and, while it does allege federal court jurisdiction, it does so only conclusorily. Payne also has not alleged compliance with the removal procedure, 28 U.S.C. § 1446. Lastly, Payne has not paid the civil case filing fee.

All of these deficiencies must be answered by Payne. But the Court has no way of contacting Payne because he is not an e-filer and has not provided the Court with contact information. This is, however, a court of public record. Thus, any filing is viewable by Payne. This order, made public once filed, will serve as notice to Payne of the deficiencies in his

removal notice. If he believes the deficiencies explained in this order to be unfounded, or if he wishes to correct them, he may file a new notice of removal under a new case number. But for now, the case will be remanded without prejudice and closed. Any jurisdiction that may rest with this Court will be returned to the 46th Circuit Court in Crawford County. A copy of this order will be provided to that court.

Accordingly, it is **ORDERED** that this case is **REMANDED without prejudice**. Any jurisdiction over this case that may have been vested in this Court is returned to the 46th Circuit Court for Crawford County.

Dated: October 9, 2015

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 9, 2015.

s/Michael A. Sian
MICHAEL A. SIAN